

In The Drawings

A set of formal replacement drawings is submitted herewith.

REMARKS

Claims 1-9, 16-23 and 63-81, and 83-100 are pending. By the foregoing amendment, claims 95 and 98 are amended. Support for the amendment to claim 95 can be found in original claims 17 and 18, and elsewhere in the specification. Claim 98 is amended as suggested by the Examiner.

Finality of the Office Action is Improper

The Examiner has introduced new grounds of rejection, namely, the rejection of claims 95 and 98 under 35 USC §112, second paragraph. Claims 95 and 98 were not amended in the previous Amendment. Therefore, it was improper add a new ground of rejection and make the Office Action final. Accordingly, if another Office Action is issued, the clock should be restarted, and Applicants should be given 3 months to respond.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 95 and 98 have been rejected under 35 USC §112, second paragraph as being indefinite. Claim 95 has been amended to include the limitations of claims 17 and 18 and now provides antecedent support for a catalyst in the reforming channel. Claim 98 is now amended as suggested by the Examiner.

Rejection under 35 U.S.C. §103 Over the '186 Patent in View of McElroy

Claims 81-87 have been rejected under 35 USC 103(a) as being obvious over WO 99/00186 in view of U.S. Patent No. 4,876,162 to McElroy. This rejection is respectfully traversed for the following reasons.

(1) First, there is no motivation to combine these references. The '186 patent does not teach or suggest that liquid forms in the exhaust channel. Nor is there any reason to believe that liquid forms in the exhaust channel of the '186 device. The examples of the '186 patent do not mention a problem with water in the exhaust channel. There cannot be a motivation to fix a problem that does not exist.

- (2) The statement on page 7 of the Office Action "That the wick itself does not allow for passage of gas would be desirable in the microcombustor of the '186 patent as the escape of gas is provided for via the remainder of the exhaust channel." This statement does not make sense because there would not be any motivation in the '186 device for excluding gas from the wick. Applicants request that the Examiner find support for this statement in the prior art.
- (3) There is no dispute that the function of McElroy's wick is to block gas from the exhaust channel. Incorporation of this wick in the '186 device would, of course, also block gas from the exhaust channel. Thus, it would render the '186 device unusable. Therefore, the combination of McElroy with the '186 reference cannot be obvious. See MPEP §2143.01.V.
- (4) The combination of McElroy and the '186 reference does not suggest the steam reformer structure of claim 85.

Accordingly, the rejection over the '186 patent in view of McElroy should be withdrawn.

Conclusion

If the Examiner has any questions or would like to speak to Applicants' representative, the Examiner is encouraged to call Applicants' attorney at the number provided below.

Respectfully submitted,

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